

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

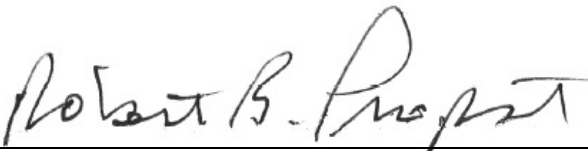
REX TANNER, ET AL.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO. 05-PWG-2341-E
)	
INTERNATIONAL ISOCYANATE)	
INSTITUTE, INC., ET AL.,)	
)	
Defendants.)	

O R D E R

Before the court are the motions to dismiss remaining before the court as to counts VII and VIII of the amended complaint (docs. #322, #349, #350, #351, and #356). On February 25, 2009 the magistrate judge filed findings and recommendation recommending that, after consideration of the June 9, 2008 findings and recommendation, the order of Judge Coogler entered on July 16, 2008 together with the plaintiffs' response to related motions as well as the September 23, 2008 recommendation and the order of Judge Bowdre entered on October 21, 2008, the motions to dismiss (docs. #322, #349, #350, #351, and #356) be GRANTED only for the reasons expressed in the June 9, 2008 findings and recommendation as adopted by Judge Coogler. No objections have been filed by the parties pursuant to Rule 72, *Federal Rules of Civil Procedure*.

Having carefully reviewed and considered *de novo* all the materials in the court file, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the motions to dismiss counts VII and VIII of the amended complaint are GRANTED.

As to the foregoing it is SO ORDERED this the 24th day of March, 2009.



ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE